

42. A cloning vector comprising a heterologous gene encoding a protein, and the promoter of claim 36, wherein the heterologous gene is under the control of the promoter.

43. A seed containing a promoter as claimed in claim 34, operatively linked to a heterologous gene encoding a protein.

44. A seed containing a promoter as claimed in claim 36, operatively linked to a heterologous gene encoding a protein.

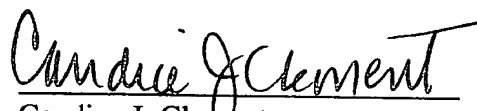
Remarks

As the International Application includes claims 1-40, and new claims 41-44 have been added herein, claims 1-44 are pending in this application.

Claims 41-42 and 43-44 have been added to remove multiple dependency from original claims 37 and 40, respectively. No new matter has been introduced.

Applicants respectfully request examination and consideration of claims 1-44.

Respectfully submitted,



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Date: October 13, 2000